

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CHRIS MATSON,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO.:
)	1:20-cv-04880-LMM-RDC
)	
CITY OF FOREST PARK, GA,)	
)	
<u>Defendant.</u>)	

**JOINT MOTION TO EXTEND DISCOVERY PERIOD
AND DEADLINE FOR DISPOSITIVE MOTIONS
AND INCORPORATED MEMORANDUM OF LAW**

COME NOW, Plaintiff Chris Matson (“Plaintiff”) and Defendant City of Forest Park, Georgia (“City”), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 6(b), hereby submit this Joint Motion to Extend Discovery Period and Deadline for Dispositive Motions and Incorporated Memorandum of Law, respectfully requesting that the discovery period in the above-styled action be extended ninety (90) days, through and including Monday, August 2, 2021, so as to allow the parties sufficient time to complete necessary discovery in this case. In support of this motion, the parties respectfully show the Court as follows:

1.

Plaintiff filed his Complaint on November 2, 2020 in the Superior Court of Clayton County [Doc. 1-1], and the City timely removed to this Court on December 2, 2020. [Doc. 1.] Subsequently, the City filed its Answer on December 4, 2020. [Doc. 3.]

2.

Since discovery commenced, the City has served written discovery requests, and Plaintiff has responded. On April 15, Plaintiff served written discovery requests on the City, and those responses are not due until May 18. The parties have not yet been able to schedule depositions. In particular, the City did not receive until just recently Plaintiff's executed medical release(s) in order to obtain his medical records through subpoenas. The City intends to serve subpoenas on those providers and obtain those medical records, and once received, will coordinate with Plaintiff to schedule his deposition. Plaintiff has indicated that he intends to take all ten depositions authorized by the Federal Rules of Civil Procedure.

3.

In addition, counsel for Plaintiff has experienced a busy trial schedule including a bench trial in March 2021 and multiple pre-trial conferences.

4.

Discovery is currently set to end on May 3, 2021. [Doc. 11.] The parties require additional time to complete discovery, which has been delayed due to scheduling conflicts, adjustments to the everchanging safety protocols due to COVID-19, and the need to obtain and review Plaintiff's relevant medical records prior to his deposition.

5.

The parties respectfully request an extension of time, through and including August 2, 2021, for the purpose of completing the discovery process.

6.

With the deadline for discovery extended, the parties also ask that all subsequent deadlines be extended as well.

7.

The requested extension will not prejudice the parties in any manner.

8.

A Proposed Order is attached hereto for the Court's convenience.

[Signatures on next page]

Respectfully submitted this 19th day of April, 2021.

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CERTIFICATE OF COMPLIANCE

The undersigned hereby certifies that this memorandum complies with the font and point selections approved by the Court in Local Rule 5.1C. This brief has been prepared in Times New Roman, 14 point.

s/ K. Tate Gray
K. Tate Gray
Georgia Bar No. 919123

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the **Joint Motion for Extension of Time to Complete Discovery and Deadline for Dispositive Motions and Incorporated Memorandum of Law** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Steven N. Newton
Nancy B. Pridgen
Leslie M. Basset

This 19th day of April, 2021.

s/ K. Tate Gray
K. Tate Gray
Georgia Bar No. 919123